

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SAMUEL BULMER,)	
)	
)	
Plaintiff(s),)	
vs)	NO. 04-cv-922-JPG
)	
RICKY SUTTON, et al.,)	
)	
Defendant(s).)	

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 27) of Magistrate Judge Clifford J. Proud recommending that the Court grant the defendants’ oral motion to dismiss (Doc. 25) and dismiss the remaining claims in this case with prejudice for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

After reviewing a magistrate judge’s report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. The Court further notes that in addition to failing to obey the Court’s order to appear at a pretrial conference and failing to keep the Court apprized of his current address, the plaintiff has failed to provide appropriate service forms for some defendants, which led to the dismissal of those defendants from this case. All of these shortcomings

evidence an intent not to prosecute this case. Accordingly, the Court **ADOPTS** the Report in its entirety (Doc. 27), **GRANTS** the defendants' motion to dismiss (Doc. 25), **DISMISSES** the remaining claims in this case **with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

Dated this 22d day of March, 2007.

s/ J. Phil Gilbert

United States District Judge J. Phil Gilbert